

SENATE BILL 2209

By Ford

AN ACT to amend Tennessee Code Annotated, Title 56;  
Title 63 and Title 68, relative to testing for human  
immunodeficiency virus and other sexually  
transmitted diseases.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 6, Part 2, is amended by adding the following as a new section:

63-6-246. The board of medical examiners is directed to promulgate rules concerning physicians, and other health care providers supervised by physicians, who provide an annual physical part as of the primary care of the patient or of a wellness program for a patient. Such rules shall encourage health care providers to offer each adult patient testing for sexually transmitted diseases and testing for human immunodeficiency virus (HIV). All such rules and regulations shall be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5.

SECTION 2. Tennessee Code Annotated, Title 63, Chapter 9, is amended by adding the following as a new section:

63-9-122.

(a) The board of osteopathic examination is directed to promulgate rules concerning physicians, and other health care providers supervised by physicians, who provide an annual physical as part of the primary care of the patient or of a wellness program for a patient. Such rules shall encourage health care providers to offer each adult patient testing for sexually transmitted diseases and testing for human immunodeficiency virus (HIV). All such rules and regulations shall be

promulgated in accordance with the Uniform Administrative Procedures Act, compiled in title 4, and chapter 5.

SECTION 3. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by adding the following as a new section:

56-7-2369.

(a) A contract or policy of an insurer that provides benefits for an annual physical, whether under an individual or group health insurance policy providing coverage on an expense-incurred basis, an individual or group service contract issued by a health maintenance organization, a self-insured group arrangement to the extent not preempted by federal law or a managed health care delivery entity of any type or description, shall provide benefits and coverage for testing for any sexually transmitted disease as required pursuant to rules promulgated under § 63-6-246 or § 63-9-122.

(b) Benefits provided for testing required by subsection (a) shall be subject to deductible and copayment requirements and benefit limits that are no more stringent than those established for other covered primary care.

(c) Nothing in this section shall apply to accident-only, specified disease, hospital indemnity, medicare supplement, long-term care, or other limited benefit hospital insurance policies.

SECTION 4. For purposes of promulgating rules, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2015, the public welfare requiring it, and it shall apply to contracts entered into or renewed on and after January 1, 2015.